

**REMARKS**

As of the Office Action dated February 28, 2003, claims 1-5 were all the claims pending in the application. Claim 1 was the only independent claim.

Claim 1 has been canceled, and claim 2 has been rewritten in independent form. As such, currently claims 2-5 are all of the pending claims, and claim 2 is the only independent claim.

Applicant thanks the Examiner for acknowledging the claim for foreign priority and receipt of the priority document.

The Examiner has objected to the specification because of a minor typographical error. Applicant has amended the specification accordingly and respectfully request the Examiner to withdraw the rejection.

The Examiner has also objected to the Abstract, requesting that parentheses are added to the reference numerals in the Abstract. Although Applicant is not aware of any requirement to use parentheses in the Abstract, as a path of least resistance, Applicant has added parentheses to the Abstract.

The Examiner has objected to Fig. 8, requiring a Prior Art-- legend to be added to this figure. Applicant has amended Fig. 8 accordingly, as shown in the concurrently filed Submission of Drawings, and respectfully requests the Examiner to withdraw the objection to the drawings.

**Allowable Subject Matter**

Applicant thanks the Examiner for indicating that claims 3 and 4 would be allowable if rewritten in independent form including all of the limitations of the base claim and any

intervening claims. Applicant, however, holds in abeyance the rewriting of claims 3 and 4 until the Examiner has had an opportunity to consider the remarks below with respect to claim 2.

**Claim Rejections Under 35 U.S.C. § 102 and §103**

Claim 1 is rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Moretti et al. (US 6,179,471). Claim 2 is rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Moretti. Claim 5 is rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Moretti in view of Gomez et al. (US 5,833,371).

Applicant has canceled claim 1, rendering the rejection of this claim moot.

With respect to claim 2 (rewritten in independent form), Applicant respectfully traverses the rejection at least because Moretti does not teach or suggest the claimed rolling bearing assembly having a sealing member made up of a core metal in which a temperature sensor is secured to the core metal in contact therewith.

Specifically, in the first embodiment of Moretti's bearing unit, an annular strip 14 surrounds the cylindrical wall 13 of the stationary annular insert 10. This annular strip 14 supports and is secured to a sensor body 16, upon which a sensor 17 is mounted. Moretti at col. 2, lines 34-40. Similarly, in the alternative embodiment of Moretti, the sensor housing portion 16', and therefore the sensor 17, is secured to and supported by a ring 14'. Moretti at col. 3, lines 20-32 & Fig. 5.

The claimed invention, in which the temperature sensor is secured to and in contact with the core metal, is advantageous because the temperature of the stationary race can be precisely measured because the temperature is efficiently conducted through the metal of the core metal.

*See Present Specification page 3, lines 18-25.* In contrast, the temperature sensor of Moretti, in which the temperature sensor 17 is merely fitted to the additional structure of an annular strip 14, 14', cannot provide this precise measurement.

In addition, the requirement of the present invention that the temperature sensor is supported by and in contact with the core metal allows a bearing assembly in which no separate support member is required. Therefore, the number of parts needed in the claimed bearing assembly is reduced. In contrast, in Moretti's bearing unit, the fact that the temperature sensor is secured to the additional annular strip 14, 14' means that the number of component parts, as well as assembly steps and costs, are increased.

As such, Applicant respectfully requests the Examiner to withdraw the rejection of claim 2 for the reasons discussed above and respectfully request the examiner to withdraw the rejection of claim 5 at least because of its dependency from claim 2 and because Gomez, which the Examiner cites in an attempt to show a chip-type laminar resistor, does not cure the deficiencies in Moretti discussed above..

### **Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111  
Appln. No. 09/972,949

Docket No. Q66636  
Art Unit 3863

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

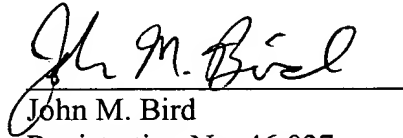
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Date: June 30, 2003